

12.46 hrs.

DISCUSSION RE : SITUATION ARISING
OUT OF THE INCIDENT OF 'SATI'
AT DEORALA VILLAGE IN
RAJASTHAN AND STEPS
PROPOSED BY UNION
GOVERNMENT TO PRE-
VENT SUCH DEPLO-
RABLE INCIDENT
IN FUTURE—
Contd.

[English]

MR. DEPUTY SPEAKER : Now, we take up next item. Further discussion under Rule 193 on the situation arising out of the incident of 'Sati' at Deorala village in Rajasthan and the steps proposed by the Union Government to prevent such deplorable incidents in future. Shrimati Kalpana Devi.

SHRIMATI BASAVARAJESWARI (Bellary) : I have not completed. You please see the proceedings.

MR. DEPUTY SPEAKER : Shrimati Kalpana Devi was on her legs, on the other day.

SHRIMATI BASAVARAJESWARI : No. I was on the legs. I didn't complete. I was just speaking in the meantime...

MR. DEPUTY SPEAKER : According to the records I am telling you. She was on her legs.

SHRIMATI BASAVARAJESWARI : No, Sir. You can verify the records. I am 100 per cent sure. When I was speaking, Mr. Somnath Rath who was listening to me, told me that I can continue my speech on Monday.

MR. DEPUTY SPEAKER : I will check up.

SHRIMATI BASAVARAJESWARI : I have been asked to continue on Monday. You please check the proceedings, I have not completed my speech. I have not concluded. You please allow me to conclude my speech. I did not say anything about the Rajasthan incident...*(Interruptions)* You give me five minutes more.

MR. DEPUTY SPEAKER : No. I will find out from the records. She was already called upon to speak. Now I cannot break that rule.

(Interruptions)

MR. DEPUTY SPEAKER : She is on her legs, how can I allow you now? So, I will have to check it from the proceedings. Whatever it says, I will act according to it. You please take your seat, I will call you.

SHRIMATI BASAVARAJESWARI : You please find out and tell me.

SHRI SHANTARAM NAIK (Panaji) : You should rely upon the hon. Member's words and act according to that.

SHRIMATI BASAVARAJESWARI : I have been asked to continue. At 3.30 P.M., I was abruptly stopped. Now, I would ask Mrs. Kalpana Devi to resume her seat. Let me conclude my speech.

THE MINISTER OF STATE IN THE DEPARTMENT OF YOUTH AFFAIRS AND SPORTS AND WOMEN AND CHILD DEVELOPMENT IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (SHRIMATI MARGARET ALVA) : She was speaking in Kannada, probably the translator might have.....

(Interruptions)

MR. DEPUTY SPEAKER : Madam, you please take your seat. I want to tell you something about this. At the end of your speech, you insisted that you wanted to continue on Monday. But the Chairman called Mrs. Kalpana Devi because you took a lot of time. Mrs. Kalpana Devi started her speech. She had already taken a minute. Then, the Chairman told her that she can continue her speech on Monday. That is the thing.

Therefore, I have asked Mrs. Kalpana Devi to continue her speech.

SHRIMATI BASAVARAJESWARI : I request you to give me some time to conclude my speech.

MR. DEPUTY SPEAKER : She had already spoken for one minute.

SHRIMATI BASAVARAJESWARI : I had also requested the hon. Minister that since I was already speaking, some more time may be given to me to conclude my speech.

MR. DEPUTY SPEAKER : She had already spoken for one minute. The record is there.

SHRIMATI BASAVARAJESWARI : You don't want me to conclude my speech ?

MR. DEPUTY SPEAKER : How can I allow you when she is already on her legs ?

SHRI SHANTARAM NAIK ; You can find out whether there is any provision for making an additional speech.

MR. DEPUTY SPEAKER : The only thing I can do is that when the Minister replies, you can seek some clarifications. That is all I can do now.

SHRIMATI BASAVARAJESWARI : He asked me to continue on Monday. It is only a request. I request you to allow me five minutes to conclude my speech.

MR. DEPUTY SPEAKER : When the Minister replies, you can seek some clarifications.

(Interruptions)

THE MINISTER OF HUMAN RESOURCE DEVELOPMENT AND MINISTER OF HEALTH AND FAMILY WELFARE (SHRI P. V. NARASIMHA RAO) : A Bill on Sati is coming. Members will have enough opportunities to speak.

MR DEPUTY SPEAKER : You can speak on this at that time.

DR. T. KALPANA DEVI (Warangal) : It is really shameful and unfortunate to discuss in the Parliament about Sati, a barbaric tradition, prohibited 150 years ago. Now, once again, Sati has come alive in Deorala Village of Rajasthan on September 4 by Smt. Roop Kanwar, by burning herself on the funeral pyre of her husband.

The practice of Sati is clearly violative of our Constitution. According to Article 21, every citizen of this country has a right to live, the right to live and the right

to liberty cannot be taken away by anything except by the procedure of law.

Sati is not religious but the murder of a woman is inhuman, barbaric and male chauvinism. It is shameful to think about Sati today, a blind superstition and a social evil in Independent India.

We are planning to step into 21st century, a so-called technically and scientifically advanced computer era, but this incident is reversing the gear of progress of the country again to the stone age.

I was surprised to see in the newspaper yesterday that Sati Bill passed in the Rajasthan Assembly despite opposition. Many of the MLAs of the ruling party also opposed this Bill, All these politicians want to make Sati a political issue and wish to build up their political carrier and political power by burning a woman inhumanly and by brain washing illiterate, ignorant woman by impressing upon them that there is no life without a husband.

I don't think any country will make progress when its women are denied equal rights and freedom.

Why has Rajasthan Government not taken any immediate action about the ghastly incident of Sati. It has not taken any action against the people who encourage this unsocial, barbaric act and try to glorify it and make money out of it, when there is a law in the history as early as in 1829 itself.

This inhuman, barbaric custom was prohibited in 1829 by Lord Bentinck by the efforts of Raja Ram Mohan Roy, who took up Sati as a major issue as early in 1815. Even after prohibition of Sati the Hindu orthodox people appealed to the Privy Council but on 11th July, 1832, that appeal was rejected and said that historic law is valid all over India and there is Indian Penal Code to prevent such a social crime as burning of women in the name of religion. Even during the Moghul period, they tried to suppress the practice of Sati.

But, today, unfortunately in Rajasthan they are supporting it and the Rajasthan Government does not dare enough to implement the Act in time, What a pity on our part ?

Raja Ram Mohan Roy said that it was not only the inferior status of women that was responsible for Sati, but economic greed of the relatives which forces a woman to commit Sati. By a simple legislation women will not come out of these social and barbaric customs. Unless they are educated and made economically independent, and as long as they are looked down by the society and these is every possibility of their being exploited and humiliated by society, women will continue to suffer. Sati is a shame to our nation today. We cannot compromise with the communal, obscurantist and fundamentalist reactionary forces for the sake of political survival. But unfortunately, that is what the politicians of Rajasthan have done. They wanted to build up their political career and power by burning women. That is why many MLAs opposed the Bill.

It is unfortunate that the Sankaracharya of Puri had said that *Sati* is also their democratic right. If burning of a woman is a democratic right, then where does the Constitution stand which says that every citizen has a right to live ?

Today, the entire nation and all right thinking people are against this barbaric crime against humanity and crime against our Constitution. Now, this is not a question of women alone, but it concerns the entire society. The Union Government should come forward to safeguard our culture, our civilization and dignity of women. It is shameful to know that the Rajasthan Government entertained '*Sati Mela*' in some districts and every year for which three State holidays have been given. It shows the Government's encouragement to the religious fundamentalism. It is my earnest request to the Government to take stringent steps against *Sati* glorification and raising of *Sati* temples and impose a ban on *Sati Melas* and the existing *Sati* temples.

It is true that the Government has to face lot of resistance and obstacles from the religious fundamentalists in implementing the Act to ban *Sati* but the Government should not yield for its political survival as in the case of the Muslim Women's Bill.

Burning women inhumanly denigrates women and also degrades the culture of our society. The most important and basic need of the day is to create more awareness among the rural women, where *Sati* is prevalent, that *Sati* is not religious and that it is not our culture. We must be able to create that awareness through women's organisations and mass media in our rural India.

Unless women are civilised, cultured educated and economically independent a country cannot progress. Only women, left to themselves alone would not be in a position to achieve the goals of success, unless both women and men work together with equality. The need of the hour is to encourage women's education, creation of awareness, building up of courage and confidence to shed their backwardness and ignorance. Otherwise, they will be left behind in the race for the survival.

To eradicate this social pernicious dowry system with its attendant social ills and to improve the economic condition of women in the Hindu society the Hindu Succession Act, 1956 should be suitably amended to achieve the constitutional mandate of equality of property as it has been enacted in Andhra Pradesh in 1985. It is my appeal to all the Members of Parliament and all political parties to consider the matter seriously. It is high time that even after three decades the Indian Parliament reviews the provision of the Hindu Succession Act, 1956, particularly in the light of the Andhra Pradesh Act No. 13 of 1986 for the benefit of the entire Indian women. Otherwise it amounts to a failure to enforce Article 14 of the Constitution. It is also time to bring a uniform law under a uniform civil code in this country to ensure that every woman will enjoy property equally with man as a citizen of this country.

13.00 hrs.

The Government should also think about the rehabilitation of economically poor widows to enable them to stand on their own feet for their economic needs and also to lead a respectable life in the society. It is the responsibility of the Government not only to abolish the glorification of *sati*

but also to create the ways and mean for their respectable survival in the society. The economically poor widows should be given widow pension as the Andhra Pradesh Government is giving. Then a comprehensive scheme should be evolved for the rehabilitation of economically poor widows by the Government of India and their children should be given free education. Whatever amount collected in the name of sati in Deorala village in Rajasthan should be utilised for the rehabilitation of the widows and sati should be abolished once for all. I hope the Government would come out with appropriate schemes and Bills.

MR. DEPUTY SPEAKER : Madam, what about the Lunch ?

**THE MINISTER OF STATE IN THE
MINISTRY OF PARLIAMENTARY
AFFAIRS (SHRIMATI SHEILA
DIKSHIT) :** Sir, we got a lot of Members who would like to speak on this very important subject. Hence we can forego our lunch.

**SHRI C. JANGA REDDY (Hanam-
konda) :** No Sir.

MR. DUPUTY SPEAKER : At three o' Clock, the hon. Minister is going to reply.

SHRIMATI SHEILA DIKSHIT : The hon. Minister is going to reply at 3 PM.

MR. DEPUTY SPEAKER : Other-
wise the Members have to forego their
speech.

**Mr. Janga Reddy, do you want to fore-
go your speech or your lunch ?**

SHRI C. JANGA REDDY : I want
to forego the lunch and also the speech.

MR. DEPUTY-SPEAKER : Now,
Shrimati Usha Choudhari. As Shrimati
Usha Choudhari is not here, I am calling
Shri Somnath Rath.

SHRI SOMNATH RATH (Aska) : Sir,
the glorification of the sati is only
glorification of the murder of a lady
and this monstrous ritual should be put
an end to and buried for ever. The sati
system has no sanction of Rishis, Munis
or any religion. Manu even advocated

the cause of re-marriage of widow. It is
easy to appeal to the sentiments of the
individuals in the name of religion and
many persons do it with ulterior motive. We
must not appeal to the sentiments, but it is
high time that we should appeal to the
reasoning to put an end to this barbaric
act.

A widow is made to mount her
husband's pyre and it cannot be said that
it is voluntary. It is shocking that even
today, some persons support the so-called
voluntary sati. She is the victim of social
and religious pressures which suppress
her free will. She is made to believe that
if she survives, her life will be worse and
miserable. It is the helplessness of the
widow which is taken advantage of by
certain persons specially by her in-laws for
their ulterior motive.

Sir, ours is a secular and democratic
country. The society has undergone a
tremendous change. In the medieval age,
a women had got a life interest in the
property of her husband, that is, only the
maintenance. But now she has got a share
in the property of her husband. It is but
natural that other co-sharers may mani-
pulate to eliminate her for ever so that
they get more property to their share. It
is also seen that certain persons for greed
to or make profit, encourage this system of
sati. It is a high time that a special string-
ent law against sati be enacted to bring
such a practice to an end for ever.

About what has happened in Rajasthan
many hon. Members in the House have
spoken the real facts. An hon. Member
has said that even a doctor has given
morphia injection to that lady before the
incident. Hon'ble Member have also said
that the Rajasthan Government has not
taken action. Now there is a law after
the ordinance, but under IPC action can
also be taken though it is too late. For
the information of the hon. Minister, law
is not wanting in our country in this
connection. Section 309 contemplates
punishment of a person who commits
suicide. Punishment is one year imprison-
ment with or without fine or both. Of
course, the intention of this section is not
appreciated in many countries of the world.
Even the Delhi High Court has acquitted

many persons who were accused of attempting to commit suicide. But one fact remains. Though so many countries have abolished attempt to commit suicide as a crime, abetment or inducement to commit suicide remains as a crime everywhere. Our country in the Penal Code section 306 makes a provision for this crime of abetment or inducement when suicide has been committed. Still there is a time for the Rajasthan Government to investigate into the matter. It should take note of the concern of the hon. Members of the House and get it investigated only not by its regular police department but by the Crime Branch and punish such persons who have either abetted or assisted in committing the sati. I would suggest to the hon. Minister that if necessary, a CBI enquiry be made in this connection and such culprits should be punished. If there is any lacuna or any going back by a particular State or by a particular officer of the State, CBI agency can be utilised for punishing the culprits since it is a matter of national importance.

What has happened after this ordinance has been promulgated in Rajasthan ever writ petitions have been filed in High Court challenging the ordinance of the Rajasthan Government on the touchstone of article 14 i.e. equality and articles 25 and 26 i.e. religious freedom. This shows what way the wind blows and whether we have got sufficient political will to combat the evil. With one voice we advocate that this is a crime that must be put an end to, but at the same time we knock at the door of judiciary, challenging the action taken by the Rajasthan Government by issuing the Ordinance.

Coming to Rajasthan Government, what they have done in the Ordinance is they have not prohibited the worship in the *Sati* temples or the *Sati* shrines. They have categorically said that it cannot be prohibited. Sir, through you I want to submit to the hon. Minister that whenever the Central Government is going to bring a Bill in the House, they must take note of this aspect also. In the Bill, it must be specifically provided that worship in any manner, in any *Sati* temple shall be punishable. Not only that, we must abolish

all *Sati* temples or *Sati* shrines existing in our country, for the simple reason that when we oppose the glorification of *Sati*, then what is the sense in allowing the people to worship *Sati* in the temples that are existing. At the same time, we should see that the punishment must be nothing short of death or life imprisonment for the person who in any manner abets or associates himself with this act. I would submit that through our media, we must inculcate in the minds of our own folk that Rani Jhansi, who fought for freedom, should be their ideal. Women in the society have not only got a duty towards their husbands, or have to be loyal to their husbands, but they have got a duty towards the country and towards their family members. Just as we are condemning the dowry deaths, we—all political parties should condemn with one voice such kinds of killings of widows as by way of this *Sati* system. As such, I would request the hon. Minister to see that this system is buried for ever and is not revived at all in future.

SHRIMATI JAYANTI PATNAIK (Cuttack) : Mr. Deputy Speaker, Sir, we cannot express just in words our deep feelings against this ghastly incident of *Sati*—a girl of eighteen put into fire. The barbarous incident was glorified also. Not only this, even after thirty days, lakhs of people gathered on the spot and glorified it saying, '*Sati mata ki jai*'. How could a *mata* be put into fire, I do not know. Perhaps it might be that the girl could become *Sati* or *mata* only after she has lost her life. One cannot forget that she belongs to the *matri jati* who is the source of creation and who has given birth to those who are now glorifying such a ghastly incident. Adi Shankracharya has said that a son can be *kuputra* but a *mata* cannot be a *kumata*.

Roop Kanwar who belongs to this 'mathru jati' may be considered as 'matmi' but she is destined to be burnt. As for the origin of *Sati*, Gandhiji, in an article in *Harijan* of the 20th March 1937, has referred to Diodorus, a Sicilian historian of the first Century B.C. He said that it had no spiritual sanction. An account depicts that during centuries of invasion of Saka, Hun and Muslims, the Rajputs continually suffered heavy losses of the male

population. As there was no inter-caste marriage Sati was introduced to get rid of the widows. A 17th Century Rajput painting shows that a woman going in to the pyre to be a Sati is surrounded by men with swords unsheathed, as seen when Roop Kanwar went to pyre. That denotes that if the women would change her mind, she would be beheaded as it involved the honour of the Rajputs even though history states that even in the age of Ramayan, widows were protected and honoured. In 1980, Sri Sirkar, a District Magistrate of Rajasthan, opined that vested interests were responsible for this crime. Every Sati case eventually became a money-spinning venture. The amount collected from offerings was enormous. For some, Sati has become a sort of identity and they try to spread it to other castes besides Rajputs so as to have a type of cultural hegemony.

As a matter of fact, Sati or burning of women on the pyre of their dead husbands was not confined to Rajasthan alone. Such things happened in Madhya Pradesh, Uttar Pradesh, Bihar and Bengal. In the first quarter of the Nineteenth Century, as many as 1500 women were consigned to flames in Calcutta alone celebrating the cult of Sati which moved Raja Rammohan to plead before Lord Bentinck for the promulgation of a law to prohibit this inhuman custom. In those days, quite a lot of commendable work had been done by great social reformers among Hindus, like Swami Vivekananda, Raja Ram Mohan Roy and Swami Dayanand Saraswati but that seems to have gone hay-wire because of the revival of the cult again.

Now the Sankaracharya of Puri Swami Niranjan Dev Tirth has gone on record that he is prepared to go to the gallows to protect the cult of Sati. He goes on reciting from Rig Veda and Dharma Sindhu to justify that Sati has the sanction of Hindu religion. Here he says that voluntary Sati is religious but we do not know whether Sati is voluntary or involuntary. It is not at all a religious thing. The Puri Sankaracharya calls the interpretation of the Vedas by Dayananda as wrong and is determined to propagate his belief at any cost. Here I must say that some of the religious pundits had come out but many have got

their mouths tight and yet Swami Visheshva of Pejawar Mutt of Karnataka has rebutted the Sankaracharya and says that all Hindu religious leaders should oppose the revival of Sati. These Progressive Pandits have said that in the Rig Veda, it has been misquoted. They have already said that in the sentence. "आरोहेन्तु जयन्तो योनिमग्ने" instead of the word, अग्ने they have misquoted it as अग्ने. But for a common person, I must say, that everything should be taken into the context with reference to the place, time and person. (देश, काल, प्रान्त) Much water has flowed from one end of the stream to the other end. And many developments also take place.

Sir, I remember, Dryden while evaluating the opinion of one of the wisest among Greeks .i.e Aristotle, said :

"It is not enough that Aristotle had said so; had he seen our times, he would have changed his mind."

What strikes me most is the question, "Has nothing happened in India after the Vedas and scriptures were written? Is religion so blind as to compel a wise Swami to close his eyes ?

Prof. Ashis Nandy calls Sati as a pathology of colonialism, not of Hinduism. It was a direct result of the challenge of new social and cultural forces to the traditional life-style of the Indian people. But it is wrong to accuse the Britishers for all the shortcomings of our national life. We have to remember that it was Lord Bentinck who brought in a law to protect our women when they were getting burnt by our men folk. Some people point out that the Sati tradition has been made possible in India on account of poverty, obscurantism and political chicanery. There has been little impact of education, communication systems on the socio-religious psyche of the Indian women. But Roop Kanwar's case confronts us with a contradiction. She belongs to a city-bred educated class. Her father-in-law has a Master's Degree. Her father has a transport agency at Jaipur. Deorala has eight Schools in the village, has a high literacy rate with T.Vs. and all modern amenities of life. Sati spectacle is actually not the

result of a clash between tradition and modernity. Deorala incident proves that education really helps them to perform such miracle-studded crimes more dexterously than would have been otherwise. The Dharma Raksha Samiti had published a pamphlet 'An appeal to the Hindus.' It was at pure and simple fundamentalist appeal which inspired lakhs of people gather at Jaipur to justify their right to perpetuate Sati. The weak-kneed politicians were so terribly afraid that they did not utter even a word of protest, not to speak of any resistance. I appeal to all the political parties to come out of their party affiliations to think about this problem objectively. Sir, the incident is political chicanery in plain and simple terms and nothing else. The local regional media has played no small a measure to perpetuate this myth. Even the Jaipur edition of the *Times of India* in its editorial glorified this incident.

Having narrated the contradictions between our professions and our lives thus far, I am returning back to Gandhiji who also wrote an article on the topic titled 'A twentieth Century Sati' in *Young India*, dated 21st May, 1931. Therein he has pointed out that the human soul is a part of the Divine Life. Self-immolation at the death of the husband is not a sign of enlightenment but of gross ignorance as to the nature of the soul. Sir, Sati according to Gandhiji, had its origin in superstitious, ignorance and the blind egotism of man. Therefore, a stringent law, a comprehensive law, with severe deterrent punishment should be enacted which may give an assurance to woman that their lives have value and male domination can never compel them for self-immolation any more. All men folk among Hindus should realise that their women have not been made for burning. Humanity, justice along with human rights laid down in the Constitution should be there. The lot of the women and specially of the widows is to be improved.

Sir, we are seeking to raise the status of women from every angle and it should be raised. It should be publicised in various media and in other important fields.

Sir, we are speaking of the economic independence of the women and the economic independence of the widows. In my view, this aspect should be taken up seriously. There should be economic independence for the women, and a living place for the widows should be ensured. Here also, right to property, the relationship of women with property should be taken into account.

Various economic measures are taken to uplift the poor, to uplift the poor women also. But sometimes we face difficulties. There are lacunae in them. I would cite one example. Suppose a small farmer dies after taking loan and without paying it, the widow with 3 children is not able to get a loan from the bank. It is because, they are saying that her husband has not repaid it and therefore she cannot take up the farming work. Like this also, there are so many things. Even in the Life insurance Corporation, if a man continues his policy and pays the default payment and fine for late payment, it is all right. But without paying default payment and fine, if he dies, the widow is not allowed to continue the benefit of the life insurance. She should be at least given a grace period of one year so that, she could take the whole benefit of the LIC. Like this, there are so many lacunae in the implementation of the development and welfare measures also.

So, I would submit that priority should be given to the self-employment of the widows so that they should cultivate self-confidence in them and they are not discriminated and deprived of the benefits in the society.

[Translation]

SHRI C. JANGA REDDY (Hana.n.konda): Mr. Deputy Speaker, Sir, discussion has been going on in this House on Sati incident for the last two or three days and hon. Members belonging to different parties have expressed their views against the Sati practice. I and my party are also against it. We condemn the incident that took place on the 4th December at Deorala. We also do not lag behind other parties in launching any type of movement against the Sati practice.

I can only say that there is no mention in support of Sati practice in any religion and there is no example in the scriptures that a wife committed sati by burning herself alongwith the dead body of her husband. The scriptures do not support it. So far as I think, when Rajput warriors lost their lives in the battlefield during Mughal period, then widows used to commit sati, so as to save themselves from falling into the hands of Mughals. Except this we do not find any other example. This is the reason why this practice has been more prevalent among Rajputs. But in this age no one supports this practice. If we find this practice still prevalent anywhere in the society, it is very necessary to launch a campaign to arouse people's awareness against it because the said circumstances do not exist now. We will have to do away with all those pernicious practices. An hon. Member was just saying that the population of Deorala is about two thousand five hundred only and a lot of people of the neighbouring villages gathered there to witness that incident. I would like to ask whether it was not possible to call military or para-military forces stationed 15 to 20 Kms or 50 Kms away by sending them wireless message from the Police Station situated 7 Km away from that place so as to prevent that incident. In my view the incident of sati could have been averted, but the police got scared of the huge assemblage of people there. I would like to ask why the District Magistrate or Police Officers did not take any action even when everything was in their knowledge. When this incident took place on the 4th September, why did they not arrest the accused on the 5th September? What are the reasons for which the police officers of that area, the District administration and the State Government treated this incident as an ordinary murder? The people of other countries think that India is living in the 16th century where persons are burnt alive. It has made our head hung in shame. Due to this incident our image in the foreign countries has spoilt. I would like to ask from the Rajasthan Government that when this incident took place on 4th September then why was the Ordinance promulgated after one month? This incident took place on 4th September and the Assembly was summoned on 1st

October after about a month of this incident. Later on, it was adjourned. What was the need for this Ordinance? It could have been brought in the shape of a Bill. Why was this not brought for a month? This Bill would have been passed after having discussion on it so for two to three hours in the Assembly. But they did not take this step because they were on the horns of a dilemma whether to take permission from the Centre or not. Rajasthan Government was in a fix whether to bring forward a Bill to this effect or not and was apprehensive of some harm being done to them and also of incurring the ire of the voters. So, they did not bring forward the Bill for a month. When criticism appeared in the press, they promulgated Ordinance.

There is one reason behind it. Some people might have got an excuse that when in Shahbano case, as Shri Arif was speaking, the verdict which was given by the High Court and the Supreme Court, was reversed by the Government later on, so the people were thinking that if they spoke against the ordinance, the Government may not reverse it. So the people took out the procession after a month against the ordinance.

I would like to demand in this House that a Common Code be formulated. A civil code or a Common Women Act can be brought forward. The Code should be applicable on everyone, be he a Hindu, a Muslim, a Christian or any other sect. In Kerala, when a daughter is born, she is given the right in the ancestral property. But this is not so in our area. We have a separate parent code and a separate civil code. That is why people think that the Government yields to the pressure and therefore pressure should be brought upon it. Therefore, the people took out a procession against the ordinance. Why couldn't the Government prevent the procession from being taken out? It could have been prevented. If the police had been posted on the roads from where the people were entering into the city, they could have been sent back and in this way this procession could not have been taken out but this was not done. After the people have gathered at one place; it becomes difficult to open fire. But they could

have been stopped by closing the roads whence they came. But this was not done because the Government was in a state of indecisiveness. They thought that if firing took place some people would be killed. But Government had to give in before the pressure of the people of Rajasthan and they had to promulgate the ordinance. When the Government gives in under pressure, the people try to pressurise it more. So, still there is time and the Government should introduce Common Code or Civil Code without delay. Law should apply equally to all. Fundamentalism is again rearing its head. This should be put down. Whether one is Muslim or Christian or of any other religion, there is no difference among them. All are one. The political parties should come forward to put an end to this difference. So far as my party is concerned, I would like to tell the people belonging to the Congress Party and those who criticized us, that according to the Rajasthan Patrika which is in my hand, every M.L.A. has opposed this incident. It is written in the Patrika that the Chief Minister had said in regard to the people connected with the Sati incident in Deorala that those persons would be arrested under Section 20(7) of the Indian Penal Code. He further clarified that when the Government noticed that the subordinate officers had arrested innocent people, they released 24 persons immediately.

AN HON. MEMBER : Where have they been released ?

SHRI C. JANGA REDDY : In Rajasthan.

Our partymen held discussion over this matter which is in section 15 of the Ordinance—

[English]

Where any person is prosecuted of an offence under Section 3 or 4, the burden of proof that he had not committed the offence under said Sections will be on him.

[Translation]

If you prosecute a person of an offence, under the Act he will have to furnish proof

in the court that he has not committed an offence. The Government should state the charges against him. There are some points which relate to the natural justice and going against them is not in accordance with the law. For example, during emergency we were arrested and were asked to prove ourselves innocent. How can we prove our innocence when we have not committed any offence ? When there are no charges against us, how can we prove ourselves innocent ?

[English]

Burden of proof must be on the prosecution side and not from the accused.

[Translation]

The Members of our party have raised their voice against it.

[English]

SHRIMATI MARGARET ALVA : Are you justifying what the Sati abettors are doing ?

[Translation]

You are saying that we people were also sailing in the same boat.

SHRI C. JANGA REDDY : What are you saying ?

[English]

SHRIMATI MARGARET ALVA : It is on the bridegroom family's side to prove that it was not dowry.

[Translation]

The burden of proof falls on you because no one is prepared to give evidence later on. There must be some fear among the people. If someone is prosecuted of a crime, he should prove that he is innocent.

SHRI C. JANGA REDDY : Nobody knows about it. Under this law nobody can be apprehended. We already have Anti-Dowry Act,

(Interruptions)

SHRIMATI MARGARET ALVA : I would like to submit that similar provision has been included in Anti-Dowry Act also. Both the Houses have passed it that onus of the proof would lie on them.

SHRI C. JANGA REDDY : I would like to submit that we have acted against them. It does not mean that we are not against the practice of Sati. But your friends have taken it otherwise and delivered speech in Lok Sabha. That is why I am saying this.

I would like to ask as to what is the necessity of the ordinance after one month. When session is convened, you would have brought forward the Bill. There is provision for a Bill. You could have passed the Bill and suspended the rule.

You convened the session of the Assembly for one day and then adjourned it. The session again started on the third day. You have acted in a very strange manner. When there was no session, you could have promulgated the ordinance. But when the incident occurred on 4th of September, what was your Government doing till 1st of October ? Who had stood in your way for 26 days ? You held the sitting for one day and then adjourned it and promulgated the ordinance. Why ? You could have introduced the Bill. Did you want to prove that you were against the practice of Sati. You simply show that you are against it. You should act on what you say. You should have the same feeling for women, be she a Hindu or a Muslim.

We have voted against this ordinance, because your method of its promulgation is wrong. We want that you should enact laws, but these should not be passed just to show to the people that laws are being passed. If you enact the laws, these should be implemented effectively.

Police personnel were posted at a distance of 13 Kms, but not even a single person was arrested for one month. Patwari was there, Police officers were there, but nobody gave the information. That man died at 7 AM and at 10'clock, he was cremated. Could your Police not be called within 5 hours, when it was available at a distance of 13 Kms. ?

I would, therefore, urge that if you have sought any enquiry report about the incident of Deorala, we may also be apprised of that. We have come to know that she had fled from that place thrice, but she was subjected to a Morphia injection and killed forcibly. If you have all such information we may kindly be informed of that.

The M.L.As. of our Party had supported the Bill, but they opposed the way it was brought forward. After all, what was the reason for adjourning the session of the Assembly and promulgating the ordinance ? During the session of the Assembly, you could have introduced the Bill and got it passed. If some deficiencies were found later on, those could be removed by bringing amendments to it.

I would like to urge the people of the Congress Party to work whole-heartly and try to grant equal rights to the women of all religions. If you bring forward any such Bill, we would extend our full support to you.

[English]

SHRI BRAJAMOHAN MOHANTY (Puri) : Mr. Deputy-Speaker, Sir, During this debate, I was inspired by the speech delivered by my young friend from the other side, coming from the Communist (Marxist) Party of India. I saw he was in anger and that was quite natural. This is how the younger generation should react very sharply to such incidents and such practices.

I want to place before the House that this practice is neither of Indian origin, nor it is a religious custom of Hindus. As a matter of fact, in earlier days it started with Greeks and it came with Greek civilization and when they came to India, they brought it and subsequently, it was adopted by the nobles, kings and royal families. Who does not know how it started ? The reasons are quite obvious. There were wars and when the king was defeated, or the nobles were defeated, their wives were ill-treated, humiliated and tortured. To obviate that this practice came in. This is a part of the feudal structure of the society. Further, this was not the only reason, there were other reasons also. When women were

limited owners of properties—they were, not now—, naturally they wanted to eliminate women so that they can have the full rights over the property. Apart from that, some kings and nobles thought that after their death, whatever enjoyments they had in this world, they would carry them to the other world. In some countries, particularly in Uganda, the wife at the time of her husband's death is tied to her husband, so that she will also go to the other world and give company to her husband. So, there are a number of reasons. As a matter of fact, in a number of countries, this practice flourished, in China, it flourished and in a number of other countries, it flourished and somehow it came to India and it was mainly confined to the higher strata of society, and very hardly it penetrated to the lower strata of the society, the common man.

I saw a press report two or three days earlier. Rajputs have combined together, have made it a sentimental issue and they want through this Sati system to project their identity

I think the identity is wanting in this country. I do not want to blame any political party or any political leader as such. Now, the time has come when we have to carry the entire nation forward and we have to create a cultural upsurge of the country so that we can fight these evils. It is not only the widow burning but we also have the child marriage. You know during the medieval period, the concept that women in Hindu religion is Sudra was introduced which means that she cannot walk along with her husband. She cannot share food on the same table and she is denied to read religious scriptures. It was so because the scriptures were so manipulated that it was believed that a woman cannot get 'mukti' or salvation. She has to die and again takes birth as a man; then only she will get the mukti. So, these are all feudal manipulations of the scripture. Who does not know about the untouchability? How the Rig Veda was manipulated. How the Brahmins, the Kshatriyas and the Shudras were manipulated. But so far as the Rig Veda is concerned, nowhere it has sanctioned the widow burning. Even during the Epic era nowhere it has happened. You can imagine, what happened to Kunti on Parashar marry-

ing Satyavati? Who does not know about the Gargi, the great saint? She contributed so much to the Rig Veda. She attended the Philosophers' Conference organised by Janak. There she argued and contested with Yagnevilkyā. Yagnevilkyā was the prominent Philosopher. She went there nude, without putting any cloths. You must be knowing about the Maitreyi. She asked Yagnevilkyā, "could I realise the 'Brahma, Could I win the mortality? Could I be immortal?" Yagnevilkyā said, "No, marriage only will not give mortality. If you know Brahma, then you can get the immortality." That is the tradition. Nowhere in the religion it has been mentioned and those who want to give it a religious colour are those who want this practice to go on. Somebody in the House said that, "if you can protect the personal laws of Muslims, then why do not you protect the personal laws of Hindus." But I would say, it is absolutely not related to the religion.

Now, the question is how to tackle the situation. Of course, it was not prevailing when Raja Ram Mohan Roy or Ishwar Chand Vidya Sagar was there. It was prevalent before the Sati Act came into operation. Shri Janga Reddy has just now said, "Why could not you take immediate action?" I do not want to indulge in that. But does he not know that his own friends and political party workers were indulging in glorification of sati in Rajasthan. I tell you that Sati melas are taking place in different parts of the country since the centuries. In Calcutta it is going on; in Rajasthan it is going on. But would you blame the Government for all this? What is the Government? Government is formed by the political parties only. Mr. Jyoti Babu is there in Calcutta but still the Sati Mela is going on. So, I would say, do not politicise it. I do not want it to be politicised rather it should be socialised.

13.50 hrs.

[SHRI SOMNATH RATH *in the Chair*]

We should create an atmosphere which is conducive to social change. I would like to make just one appeal to the hon. Minister. It is well and good that the hon. Minister is coming forward with some legislation on this matter. But let us exa-

mine one thing, because the day has come when we have to see this problem in all its totality. We must examine all its aspects. For example child marriages are taking place in hundres and thousands in Rajasthan. I myself had put many a question on this issue here. But what to do about it ? Also, children are deprived of their religious rights in some parts of the country. They are not entitled to read Vedas. Though I do not want to mention any names, we all know that in some religions the women are not allowed to visit the church. Women from all religions, whether they are Christian, Muslim or Hindu, have to suffer a lot of deprivations. Now, time has come for an 'all women's movement' comprising women from every section of the society. This is not a question of Hindu women, Muslim women or Christian women. An all women's movement should build up in this country and that should be in the forefront of our struggle against feudalism. This is the need of the hour and we have to build up this movement and take up the challenging task.

As far as the problems faced by women are concerned, we are very well aware as to how Christian women are suffering from a number of limitations. We also know how Muslim as well as Hindu women are deprived of many rights. I am mentioning this again so as to stress that I do not make any distinction between one religion and another. Women of all religions—Hindu women, Muslim women and Christian women—are discriminated in many respects. They are denied equal rights assured to every citizen of this country and which are enshrined in our Constitution itself. So, the time has now come for all political parties and all social organisations to raise with one voice and one vision and work to eliminate such discriminatory practices with regard to property, education, social life or religion. We have to create a public opinion in favour of equality for women in all respects.

Now, I would like to suggest to the hon. Minister that she should set up a Commission on Women to examine this problem and to receive various suggestions and recommendations from various social

organisations and women's movements. This will enable us to have a comprehensive basis for adopting legislative as well as other measures at social and political levels.

So far as political parties are concerned, I would really not like to go into this controversy at this stage. As I have mentioned, we all know that Shri Janga Reddy's party is also associated with it. But we are also aware that many political parties are associated with it. The other day, I read in an editorial published in 'The Hindustan Times' that** is indulging in the activities of a communal organisation.

SHRI SAIFUDDIN CHOWDHURY :
(Katwa). Who ?

SHRI BRAJAMOHAN MOHANTY :
Your** is indulging in communal activities. I do not want to mention his name. Nor do I know his name for that matter.

SHRI RAM SINGH YADAV (Alwar) :
How can you say**

(Interruptions)

MR. CHAIRMAN : Please address the Chair.

SHRI BRAJAMOHAN MOHANTY : I am addressing the Chair only. Whether I am looking at you or not, what all I speak here is addressed to you only.

(Interruptions)

SHRI BRAJAMOHAN MOHANTY :
By that I mean that hon. member's**

Now we are also aware of the part played by the General Secretary of the Janata Party. Anyway I do not want to mention his name. He is involved in communal activities. It is the same case with many political parties. That is why our political party system also requires strengthening. Whenever there are instances of communal conflicts, language conflicts or any other conflicts, political parties are not commanding the leadership that they ought to do. It is unfortunate that political parties do not command the leadership when

**Not recorded.

such disputes or controversies arise. These are the problems we have to remember and then only we have to go ahead and tackle them. Thank you.

[Translation]

SHRI BALWANT SINGH RAMOO WALIA (Sangrur) : Mr. Chairman, Sir, with regard to the incident of Sati, I would like to submit that it is a very abominable and shameful incident. It has not been written in any book of history or religion that committing of Sati or its glorification is a good thing. In the sixteenth century, the third guru of Sikhs, Amardas was born. At that time Akbar was the emperor in Delhi. Guru Amardas visited Amritsar where free kitchen was organised, Akbar was pleased with guruji and told him to ask for anything he wanted. He told guruji that he wanted to give as much land as he wanted for organising free langar. Guruji told him that Guru Nanak Dev Ji, who was the earlier guru had said, he was quoting from the Guru Granth Saheb : "Sokyo Mande Ankhyan, Jit Jamme Rajan" The women give birth to the kings and the brave people, but they have been given women a lower status. Akbar said that was why he was asking as to what should he give to Darbar Saheb, Amritsar, Guru Amardas said that he did not require any land. People donate food-grains for organising free kitchen in Darbar Saheb of Amritsar, but if he was an emperor, he should do only two things. First, the Zazia on the pilgrim centres of Hindus be abolish and secondly, the practice of Sati be banned. This is all part of our history. He asked as to what he could do. Guruji told him that Purdah system among Muslims be abolished. Purdah among women is a sign of inferior status of women. All these things were said by Guru Amardas in sixteenth century and are also recorded in Guru Granth Saheb.

Now I would like to know as to why there is glorification of Sati incident all of a sudden. The incidents of Sati have been taking place during the last two hundreds years at one place or the other. Raja Ram Mohan Roy tried to have it banned. I would like to submit one thing to hon. Shri Narsimha Rao ji and the Government

that in my view this habit of glorification of Sati incident has been formed due to increasing influence of funamentalism in our politics. Fundamentalism among Sikhs is also increasing. They say that one should have open beard and sword should be put on from above. One might be an M.A. and having good qualifications, but that does not make any difference. Even then fundamentalism is being mixed in politics. Similarly, there is chauvinism among Hindus, They do not wear *dhoties* to the full length and this is the shortcoming among them. Fundamentalism is also growing among Muslims. This is diverting our attention from economic policies to other things. As a result, developmental works are being hampared. We are elected representatives of the people. You are running the Government and we are on the other side of the House, but it is the responsibility of all of us that we make effort, for the economic development of our country. We have to strengthen the good values in our country. I think that due to chauvinism, a person from the Golden Temple said that one person has to kill 35 persons each and this created riots in Delhi. One person said that perhaps killings would solve the problem and that is why there is trouble on Ram Janam Bhumi issue. Fundamentalism is also causing glorification of Sati. I would, therefore, urge the Government through you, sir, that it should be considered as to why fundamentalism is growing so much during the last 6 or 7 years. The growth of fundamentalism benefits the capitalists, the rich imperialist forces and the elements indulging in the exploitation of the poor and the workers. I am, therefore, of the view that we would have to take stern measures against the practice of Sati. I do not know as to why friends of the opposition are opposing the enactment of law in this regard. If Government enacts any stringent law in this regard, I myself and my Party would extend full support to the Government. The women who committed Sati is already dead, but the persons who are engaged in the glorification of Sati are inciting others to commit Sati. This is even more dangerous. I, therefore, feel that when a woman commits Sati, then her share of property *i.e.* the property of her dead husband should not be allowed to

remain with the family. If the widow continues to live in the family, the property of her husband should be inherited by her. This is also one of the reasons to compel her to commit Sati. Greed for the money may also be one of the reasons. Therefore, if a woman commits Sati in any family, her share of property should be acquired by the Government. Therefore, her mother-in-law and other members of her-in-laws' family would not allow her to commit Sati and they will think that if she commits Sati, they would lose her share of property also. They would, therefore, not allow her to commit Sati. At present, they encourage her to commit Sati.

Secondly, I would like to submit that with a view to lowering the position of widow, it was written in our old books that woman is like a lamp made of flour. She is in a very vulnerable position whether inside the house or outside the house. She has been driven to such a position. The Government should bring about some change in such a situation and if a woman becomes a widow, then some facilities should be given to her so that her life could be comfortable in future. If a widow is educated, should be provided some job and if a widow remarries, then the person coming forward to marry her should be given an incentive of Rs. 10,000 or Rs. 5,000 and should also be given some service so that widow may feel that her future is not dark.

I also think that history is being presented in a distorted manner. I also want that Radio and TV should be extensively used for condemning the persons who indulge in the glorification of Sati. There have been five respected Satis—Sati Savitri, Sati Sita, Sati Anusaiya, Sati Vrinda and Sati Tara. These five Satis did not commit Sati, they did not burn themselves alive. In their praise, it has been written in Guru Granth Sahib:

“Satiyam Ye Na Akhiyam,

Jo Madiye Lag Jalan

Satiyam Se Hi Nanka,

Jo Biraho Chot Maran.”

They are not Satis who are burnt alive. They are Satis who maintain piety in their lives. Therefore, we should discourage such elements and should try to condemn those persons through Radio and TV, who glorify the practice of Sati.

DR. G. S. RAJHANS (Jhanjharpur) : Mr. Chairman, Sir, a lot has been spoken about Sati during the last three days. I would not like to repeat the points already covered. However, I would like to express my views on a few points such occasions when hon. Members of both the sides are unanimous, are rare. Hon. Members from both the sides condemned the practice of Sati in categorical terms. I am full of all praise for Shri Madhu Dandavate who said in clear terms that both the leaders of Rajasthan who indulged in the glorification of the practice of Sati cannot remain in his party. The whole House should appreciate this gesture of Shri Madhu Dandavate.

Some of our friends here spoke about the role of the press in this respect. There is no doubt that some newspapers have glorified the Sati incident. But we cannot lose sight of the fact that most of the newspapers in the country have condemned this practice. One of the newspapers in the country carried the photographs of the Chunri and also the photograph of people circling around Sati with bare swords in their hands. There should be no difficulty in identifying those persons. Why should they not be arrested and punished? As has already been said by some of the hon. Members the whole episode should be got inquired into by the C.B.I. so that the facts may come to light. If we criticise each other, we will reach nowhere.

It is not the question of Sati and it does not confine itself to Rajasthan only. There are a number of Sati temples in the country. They are being glorified. Will the Governments of different States prevent people from constructing such temples and put a ban on the melas which are being organised around the Sati temples?

(Interruptions)

I was going to say that she was a girl from Ranchi and was given in marriage in Rajasthan. She committed Sati. Several

stories are circulating about her and a lot of things have been said in this regard. When she was being taken to the funeral pyre, she said to her father whom she loved so much that "Papa, I don't want to be burnt alive." But she was forcibly pushed into the funeral pyre. The country will remember the Sati incident at Deorala just as it remembers the gas tragedy at Bhopal and blinding cases in Bhagalpur jail.

Now people say that if Sati temple is not allowed to be built in Rajasthan, it should be built in Ranchi, the native place of the girl. In this connection, I would like to make an appeal to the Government of Bihar through you not to allow construction of any temple there and not to glorify the incident. We should oppose it tooth and nail.

It is not the question of Sati only. I would like to say in this connection. . . .

SHRI V. TULSIRAM (Nagarkurnool) : Mr. Chairman; Sir, he is expressing his views on Sati. I had raised a question at zero hour the day before yesterday that some girls have been sold for Rs. 30,000. He was talking of the girl, who, when pushed to the funeral pyre had told her father that she did not want to be burnt. What about the other girls who are being sold for Rs. 30,000? What are they saying?

KUMARI MAMATA BANERJEE (Jadavpur) : Please let him speak. Why are you standing?

(Interruptions)

DR. G. S. RAJHANS : What I mean to say is that this incident does not confine itself to Rajasthan only. It is a socio-economic problem. It is more a matter of superstition. It is a case of blind belief. In course of time, a wrong belief has been inculcated among people that the woman who dies alongwith her husband will reach heaven on her next life. She will be provided with a big throne there and she will rule over the whole universe. Nobody has seen the heaven and nobody has seen the next life. There is lot of feudal system in the eastern part of the country. When a poor man's 5 to 10 years old son dies, the society forces him to perform the

funeral rites and feed the entire village for three days. He is forced to sell off his land. He bears the burden of loan throughout his life. He goes on repaying the loan amount. How to eradicate such superstitions from the country? We blindly follow these superstitions and there is no way to get out of them. At the time of constructing a bridge, the contractor says that without human sacrifice the bridge construction work will not be completed. A poor man's child is picked up and thrown into the river. There is no end to such blind beliefs.

The snakes bite us. But our people worship them. They do not go to a doctor for treatment. If anybody goes through the history of Japan, he will come to know that is also used to follow so many superstitions. But the Japanese people rose above the superstitions and came out of them. Then only Japan was able to progress. In China women were asked to put on shoes made of iron. It was only due to superstition. In the revolution that took place in 1950, the Chinese people came out of all these superstitions. Very recently I visited China. I found the country very prosperous. In the British history, there was a time when Churches dominated the people. Blind belief was prevalent in the churches. England progressed only when it cast off its blind beliefs. All of us should set aside all superstitions irrespective of our religious faiths. Now-a-days widow marriage takes place at some places. But it is forbidden at most of the places. Women are being treated as second and third rate citizens. If a female child is born to a family, the father starts cursing himself. In no construction industry or rural area men and women workers are paid equal wages. The plight of widows is very pitiable in eastern parts of the country. People of my constituency hardly earn Rs. 20 to Rs. 25 in a month by spinning cotton on spinning wheels. Female workers are paid half the wages as compared to their male counterparts. They are told that being women they are supposed to get half wages. Is there any law in the country which could bring the males and females at par? If it is not done, long speeches made in this House will serve no purpose. It is said

that "Yatra naryastu pufyate ramante serve devata". Where women are worshipped, God is present there. There is God and no where a woman is worshipped. Women are being burnt. In dowry death cases either girls are burnt or they are forced to burn themselves. These are entirely socio-economic reasons. In order to eradicate these superstitions, the Central Government should bring forward a comprehensive legislation, unmindful of its effect on any religion. Unless we show courage and give a new dimension to the country women will continue to be exploited in the name of Sati, dowry death and for some other reasons. With the words I conclude.

KUMARI MAMATA BANERJEE (Jadavpur) : The incident of Sati in Rajasthan is a very sorrowful and shameful incident. We condemn this incident. It is a sign of lawlessness and barbarism. It is a matter of regret that while we are heading towards the 21st century, such incidents show that we are going back to the 18th century. It is a good thing that a discussion is being held on Sati in the House today. I belong to Bengal. It was Raja Rammohan Roy who first of all brought-forward a Bill in Bengal during the tenure of Bantinck. It is a matter of great regret that after such a long time, our country has been compelled to think over this matter again.

[English]

What Bengal thinks today India thinks tomorrow.

[Translation]

The Government should, therefore, bring forward a comprehensive Bill in this regard.

If the Rajasthan Government had paid some heed, the incident of Sati in Deorala could have been averted. We have come to know about the speech delivered by Smt. Margaret Alva in the Rajya Sabha in this regard. She also condemned this incident. Anything which is wrong should be condemned. Now a days if a woman commits Sati then some other is burnt for dowry. It is a matter of great sorrow for the country. We will also have to look into the socio-economic aspect about which Shri Rajhans just now expressed this views,

Today women education is most essential in the country. In several cases, women are much ahead of men. They are much ahead in decision making. There are women Members in this House also. But in our country women are supposed to be a burden on the family. They are not given equal rights and equal opportunity in employment. The Prime Minister alone cannot eradicate this problem. It is only by the combined efforts that this can be eradicated. All of us should make joint efforts for their socio-economic development. In this connection I would like to suggest that the entire House should pass a motion that if in future any such incident takes place, the entire House will unanimously oppose it. We have to awaken our countrymen. Raja Rammohan Roy had made such a propoganda. It is a matter of sorrow that a mela is held in Bengal for Sati. The State Government made efforts and issued orders that no such mela should be held. I congratulate the State Government for taking this action.

[English]

It is not a partisan matter.

[Translation]

All of us should unanimously condemn the practice of Sati in this House. All the Sati temples should be banned and closed down and all the rallies held to glorify this practice should be banned. Persons glorifying the Sati Practice should be disqualified from contesting the elections. Glorification of Sati should not be made an election issue.

We think that there is politics of votes in this country. When the people in the opposition are trying to politicise this incident, it will become difficult for us to convince the people at the time of elections, especially, when the Opposition parties will be blaming us. But this incident is not such that they should make political capital out of it. Such evil practices should be rooted out with the cooperation of one and all. Our Prime Minister has promised to bring forward a comprehensive Bill in this regard and I am grateful to the Opposition parties also that they too have condemned this incident. But my submission is that whatever stand we

take, it should be bold and in the common interest. It should not smack of any discrimination.

There are many States in the country which have made a provision for widow pension, but there are some States which do not have such a provision. I am of the view that all the States should have provision for widow-pension. This should be made compulsory by the Centre. The reason is that most of the people in our country are poor and in the event of death of the earning member, the family has to face a lot of problems. Therefore, I would request the Madam Minister that she should make a provision to reserve a certain percentage of Government jobs for those women who become widows at the age of 18 to 35 years on the lines we have made reservations in Government jobs for scheduled caste and scheduled tribes. Besides priority should be given to widows in the matter of sanctioning bank loans, so that they could earn a livelihood by starting a self-employment project. The Government should give it a serious consideration. Otherwise, poor and destitute women in our society will continue to be burnt and tortured sometimes in the name of Sati and sometimes in the name of dowry. We should come forward for their socio-economic development and arrange to give them ration, besides giving speeches.

Although, there are a number of media of mass-contact in our country, such as radio, television, newspaper, etc., yet we should organise seminars and symposia from time to time to create public awareness against such evil practices. A big mass-contact programme should be started through which incidents like Sati should be condemned publically. Such a programme should be used to create awareness among the people. This is how we can condemn various social and religious evil customs prevalent in India. For this, we shall have to formulate publicity and mass-contact programmes because in spite of a number of laws having been enacted in the country, the citizens do not know about them due to the low rate of literacy. They do not know what the Government wants to do for them, because most of them can not read newspapers or listen to radio and

T.V. news. Most of the people in the rural areas are unable to know about the government schemes. For that, we shall have to strengthen our publicity media so that public opinion could be mobilised against the social evils.

In the end, one more submission that I would like to make to our Madam Minister is that she must give serious consideration to the problems of the women. Although a legislation providing "right to equal wages" has been on the Statute book since the days of the former Prime Minister, Shrimati Indira Gandhi when the year 1975 was observed as "Women Year", but there is a pressing need to observe a year as "right to equal employment opportunities year". I want that you must enact such a legislation so that we could start an organised campaign against Sati, dowry, communal forces, parochial forces and fundamentalists. We shall have to change our attitude because we are to march forward towards the 21st century and not towards 18th century. With these words, I express my gratitude to you for giving me an opportunity to speak.

SHRI ARIF MOHAMMAD KHAN (Bahraich) : Mr. Chairman, Sir, I thank you for giving me an opportunity to participate in the debate on Sati incident.

Both the sides have condemned the Sati incident that took place in Deorala on 4th September, and this feeling is not confined to this House alone. The entire country has condemned the attempt to revive this evil practice. This fact is clear from the public reaction which we are receiving through the newspapers or through other media.

Sir, a lot has been said about this incident in the House. The newspapers too are full with articles about it. There is not even an iota of doubt that nowhere in the Vedas and other religious scriptures, the evil practice like Sati has any sanction whatsoever. This is a different thing that some fundamentalist who want to revive the evil customs are trying to prove them right. If we go through the scriptures, mention has been made time and again that the widow will perform monthly, half yearly

and yearly Shradha of her husband after his death by taking all types of his property gold, money and clothes etc. The relationship between the wife and the husband continues even after the death of either of them. By leading a calm and principled life till death, the widow can do good to her late husband. She will be committing a suicide if she chooses to burn herself alongwith the deadbody of her husband. Sir, references can be traced in Manusmriti, Brahaspati Smriti, Aprarth and many other scriptures to prove that it has no sanction of Vedas and Shastras. But, I want to go a step further. When Mahatma Gandhi started a movement against untouchability in this country and said that there was nothing in Vedas or scriptures which could support untouchability, he was shown black flags in many cities, and wherever he went, he was greeted with slogans raised against him. Thereafter, a time came when, if I am not wrong, all the four Shankracharyas and an another religious person who was in high esteem, issued a statement saying that Mahatma Gandhi was wrong in so far as he said that it had no religious sanction. Shastras did support untouchability. To this, Mahatma Gandhi replied that he was not prepared to accept that religious scriptures could support such an inhuman system, but if Dharamgurus laid stress that it had the support of religious scriptures, he would refuse to accept such scriptures. Such was the courage of Mahatma Gandhi, such was the leadership of Mahatma Gandhi. Our national movement at that time was not merely a political movement to grab power. It was a movement for the development of the country, a movement to root out evil customs, to create scientific temper in the country, to acquire knowledge and to enlarge the human outlook. I am of the view that if we have failed to accomplish all those things, we have not been able to do justice to our national movement and to our national leaders.

Whatever happened in Deorala can be called nothing but a criminal act. No amount of harsh words will suffice to condemn the incident in which an innocent women of 18 years of age was murdered and that is why I do not want to go into details. Whether or not Sati enjoys religious sanction is a secondary thing. The basic thing

is that we are feeling today that there is no law regarding Sati. Not that it is not known to the custodians of law. They are aware of it. But I think an attempt is being made to divert the attention of the people. Merely enacting legislation does not help. The question is whether you have the will to implement the law which you enact or it will confine only to its being passed by the House. Sir, I do not want to name, but I would like to draw your attention to a law passed by this House two years ago. In reply to my questions, the Government has admitted that ever since the new law was enacted, neither any Muslim women has filed any case in a court of law under this law nor has any woman been given any relief by the court. Not only this, no Wakf Board in the country has provided means of livelihood to Muslim women. No Wakf Board has made any provision as was provided in that law. My submission is that merely passing laws does not solve the problem. What is important is whether you have the will to implement that law or not; whether you want to achieve the object for which the law is enacted. The Government want to divert the attention of the people from the atmosphere of condemnation and criticism that is obtaining in the country. You are giving an assurance in the House, which you do not intend to fulfil.

From what we see today, it appears that somewhere an attempt is being made to drive the nation back to the dark era and to negate the very values of our civilization and humanity.

In this context, I want to draw your attention to the new chapter—the fundamental duties—which was added to the Constitution during the Prime Ministership of Shrimati Indira Gandhi. It has been laid down therein that the customs which are against the dignity of the women should be discarded.

I am of the conviction that the malaise does not lie in the Deorala incident. A renowned jurist once said.

[English]

“Society prepares the crime, the criminal commits it,”

[Translation]

The society prepares an environment for crime and the criminal commits it. We have committed many mistakes in the past as well.

We have to ponder whether there has been a cardinal mistake on our part due to which reactionary and fundamentalist forces are trying to revive evil practices in the name of religion.

Sir, the fundamentalism has increased in the country. Although this is not relevant, yet I am raising this because it has pained the people of the country. To what extent has it reached? Earlier, if riots took place during a match between India and Pakistan it was considered to be a shameful thing whereas today riots take place in various cities in our country irrespective of the team which Pakistan or India may be playing against and there is no need for a match between Pakistan and India now to create riots. Is this the progress that we have made in our communal bonds? Has there been a cardinal mistake on our part due to which, instead of improving mutual relations, wiping out fundamentalism and encouraging scientific temper, we have somewhere encouraged fundamentalism and superstition?

The new law which is going to be enacted, will apply to an incident which may take place after Deorala. We already have a law to deal with incident of Deorala. It was enacted in Bengal and provides for many things. My submission is that when a woman was forced to commit Sati in Deorala, the administration and police did not get the report in time, but the glorification ceremony took place many days later and in spite of a stay order by the Rajasthan High Court glorification went on. This is what pains me and the people of the country. But I am not surprised by this happening because, when a Union Minister can make insinuation against the Supreme Court, the Constitution and the law in his speech in this House, they can go to any extent. If the Centre can allow such people to show disrespect to the Supreme Court, the law and the Constitution, I am not surprised, if Rajasthan High Court ruling has been flouted.

I once again return to the cardinal question. What are the reasons that the 'Chunri Mahotsava' was held despite an order of the High Court and glorification was allowed? I feel that while on the one hand it is encouraging superstition, on the other, it is basically contempt of court, administrative machinery and the Constitution. I am of the view that when people in such a large number come out to violate the law and order, it cannot be considered as an ordinary violation. It is an indication of the diminishing faith of the people in the political leadership where frustration is growing among the masses and they feel that unless they take to streets with naked swords, their voice will not be heard and that they can protect their customs—whether they are right or wrong—only in this manner. They have found that if they take to streets, raise slogans and create tension in the society only then is their voice heard. This has not happened for the first time but has happened many times. This has happened in this House as well and the people are following the message given by you.

I would like to reiterate that we should try to find out whether we have committed some basic mistake which perhaps has encouraged superstition and fundamentalism or helped in reviving evil practices or whether we have yielded to slogans or agitations and taken decisions accordingly due to which we are facing such a situation in the country today wherein efforts are being made to revive these evil practices.

Now, I would like to point out the extent of degradation of human values and the way the law was violated in the Deorala incident in Rajasthan. What did the Centre do? I am not levelling charges against any particular person. A letter was sent to the Chief Minister of Rajasthan twenty days after the incident and the opening sentence congratulated him for having dealt with the situation firmly, and the Sati incident was condemned thereafter in a few lines. And we know what the situation was like. Lakhs of people gathered in Deorala and thousands with swords took out a procession through the streets of Jaipur. You must have read in the newspaper last week that during a demonstration outside the State Assembly in

Jaipur all types of abuses were hurled at our late Prime Minister Shrimati Indira Gandhi. I do not know how to express myself, but when the demonstrators with naked swords were abusing late Shrimati Indira Gandhi and others outside the Rajasthan Assembly, I felt as if a crippled Government was at the Centre which was not able to enforce the law or take action against the violators of law.

Mere legal debate or enactment of a law will not serve the purpose. What is primarily required is the will to take action against those who are violating the law. The Government will have to come out in unambiguous terms that it is not compromising with its political philosophy and principles in order to further its political ends. This is a general impression and it will have to be removed. Besides, there has been a general impression in the country during the last two years or so that Government think it more important to remain in power than to ensure respect and dignity to women. Even if all the women, instead of one Roop Kanwar, are consigned to flames, the Government will not feel perturbed. I am not speaking for the rights of women. Two years back all the newspapers published that

[English]

"Equality of sex is a western concept."

[Translation]

When a delegation went to the meet Government against the enactment of a law here, they were told not to talk of equality as

[English]

"equality of sex is a western concept."

[Translation]

This should be clarified.

(Interruptions)

This was published in the newspapers. If you want to know the name I can tell you, but this was published in all the newspapers.

SHRIMATI MARGARET ALVA : Are you speaking against a Minister? Who was that Minister ?

SHRI ARIF MOHAMMAD KHAN : The hon. Prime Minister had said it and now after two years you are saying.

(Interruptions)

[English]

SHRIMATI MARGARET ALVA : Equality of sex is accepted in the Constitution. I am not challenging the concept.

(Interruptions)

[Translation]

SHRI RAM SINGH YADAV : He is misquoting and has concocted it. Reference to the Prime Minister is not correct. Nothing can be more irresponsible than this. This should be expunged from the record. Sir, he should be asked to name the newspaper in which it has appeared.

(Interruptions)

SHRI ARIF MOHAMMAD KHAN : I can understand the compulsion of Shrimati Alva. She is constrained to say like this in the House. I shall not repeat what she said when the law was being enacted.

SHRIMATI MARGARET ALVA : What is that ? You can say whatever you like.

SHRI ARIF MOHAMMAD KHAN : I shall not divulge. That was her compulsion.

SHRIMATI MARGARET ALVA : Does not matter.

(Interruptions)

SHRI ARIF MOHAMMAD KHAN : When I rise to speak in the House, I am fully aware of my responsibilities. If I am mis-stating or misquoting, a notice for privilege motion should be moved against me here and now. So far as I remember correctly, the Prime Minister had stated this and Shrimati Geeta Mukherjee and Fazia Hassan, a teacher in J.N.U. were also

present there. The Prime Minister had said—

[English]

“equality of sex is a Western Concept”.

(Interruptions)

[Translation]

I am glad today that if not the Prime Minister, at least, Shrimati Alva has cared to say that it is not so. I am ready to agree with you.

(Interruptions)

Mr. Chairman, Sir, I am concluding. He has said it.

(Interruptions)

I feel that whatever happened in Deorala is not a disease in itself but it is a symptom of that disease which has been spreading fast during the past 2-3 years as a result of Governments' yielding to the fundamentalist and Communal elements. Sati and other evil practices raise their ugly head because of this disease.

Through this august House, I would like to appeal to the women of this country that they must assert their power and should not depend on the Government alone for their rights.

I shall conclude my speech with a couplet :

“Tere mathe pe yeh anchal
bahut hi khoole hai lekin,
Tu is anchal se ik parcham
bana leti to achha tha.”

[English]

SHRIMATI VYJAYANTHIMALA BALI (Madras South) : Sir, when I stand here to condemn with all the force at my command, the brutal, reprehensible, barbaric and savage act of Sati committed at Deorala, our hearts melt and we really feel ashamed of ourselves being taken back to pre-18th century. Everyone of us here has vehemently condemned, decried and criticised the heinous crime that has been committed to the young girl, Roop Kanwar,

in Deorala village in Rajasthan. I do not understand why Sati is still in vogue when this social evil was abolished way back in 1829 by a British law.

Sir, it is not a question of showing sympathy for the women in our country. But it is a question of protecting and saving the women in the country from the clutches of religious, orthodox and fundamentalist sycophants.

Sir, while we claim in the world that India has a rich cultural heritage of which we are proud, it is one of the oldest cultures and stood the ravages and all the tests of the past centuries. It is most degrading and disgracing to allow such a serious and heinous crime to take place in our own country in the name of Sati. Wherever I went in the other parts of the world, the people of these countries had all praise for our Indian culture. Such is our culture and when we are proud of our culture, it is most debasing and distressing to witness such a murderous crime in Deorala village in Rajasthan.

The Father of our Nation, Mahatma Gandhi, had all his life preached Ahimsa i.e. non-violence. I would like to ask : Are we following and practising non-violence that has been preached by a great Mahatma ? It is a shameful act perpetrated on a very young, beautiful girl, Roop Kanwar, by her greedy and avaricious in-laws. We have to go into the root cause as to why Sati was forced upon this young girl. It is because of the dowry system which entrenched perpetually in the customary Hindu marriages. The Anti-Dowry Act, recently passed by Government, has not made much dent in the society. It is, therefore, necessary that the Government should bring forward, before this House, an amendment to the Anti-Dowry Act, making it compulsory to register with the Authority all the Hindu marriage in whatever manner they are performed. There should be a provision enabling one of the Government officials to supervise each marriage and report to the authorities.

Sir, this barbarous act of crime forced upon this young girl and getting publicity in the news media by the anti-social and

anti-Government elements is only to tarnish the fair name of the greatest democratic country in the world that is India, especially when our country has been taking part, in a very successful manner, in many world forums, headed by our dynamic Prime Minister, like the NAM, SAARC and others.

Sir this lone distardly act of crime was focussed with so much fanfare, perhaps to poison the minds of the people and to lose their faith in the democratically elected Government. I would like to remind our friends here that there are many murderous of young women taking place almost everyday, every moment on one pretext or the other like bride-burning, for not bringing enough dowry etc. Should we not stop and shun this cold-blooded crime being committed by the in-laws, day-in and day-out ? Unless we put an end to the dowry-taking practice, the nasty social evil and prevent bride-burning, any amount of preaching, at the top of the voice, in any forum will not be effective. We have to fight this cancerous evil not only politically, meaning thereby joining hands by all the political parties, but we should also create social awareness among the people. One way to create awareness among the girls and women-folk is to give them compulsory education and provide them jobs.

Sir, I would like here also to add that while we claim in the world that India has its cultural heritage, why should all these things happen ? This barbarous act of crime has been indeed an eye sore not only to all the woman folk but, I think, all the men should be ashamed of such a thing being allowed in such a great country having a great cultural past. Government should take all steps to improve the economic conditions of the women in rural areas. Apart from social reason, economic reason is also one of the main contributing force to make them dependent on the men. *(Interruptions)*

Yes, it includes all men in general. I would say, economic reason is one of the main contributing factors to make them dependent on the men. Government should introduce scheme by which widows can be rehabilitated and by providing jobs they will be able to stand on their own legs and look after their dependent children.

Sir, hostel accommodation should be constructed separately for widows in all important towns and cities. A certain percentage of job in Government offices should be reserved for the widows and a certain percentage of jobs should also be reserved for widows in all the public sector undertakings.

Re-marriage of widowed young women should be encouraged and given all the support in the educational institutions like schools and colleges. Women preferably educated widows, should be given preference in the employment of teachers and other cadre. In the hospitals also, these women should be given preference by giving relaxation in the minimum educational qualifications and also by giving age relaxation.

Sir, I would also like to suggest ways to put an end to all these heinous crimes and the evil practices that have been going on in this country. I think the Government should come forward with a stringent law while they claim of our heritage, while they claim of our glorious colour, I do not understand, why these have been given a political name. I would say that the religious people, religious heads are in a way backing such a heinous crime like this. I would say, religion should, on the contrary, help to put down such barbarous act, such a barbarous crime. I would plead with all the religious heads wherever they are, whichever part of the country they belong to, that they should see to it that such a barbarous act is curbed.

I would like to add that this cold-blooded practice and the anti-social evil should at all cost be prevented. This can only be done if the Government and all the people concerned irrespective of which party they belong to should decry this heinous crime. Unless this is done, there is no way out to curb the practice of Sati. I would also like to request that the Government should bring a comprehensive legislation to put an end to such unsocial practice which is being followed in this country and also to raise the standard of all these religious heads who preach religion and who still want to go back into the past. They don't understand that we are proceeding and marching ahead in

this progressive India in which our dynamic Prime Minister is leading us to. We should put an end to all these dastardly acts and end Sati. This should be unanimously done by one and all.

[*Translation*]

SHRI RAM SINGH YADAV (Alwar) : Mr. Chairman, Sir, the whole country is agitated over the incident that took place on 4th September, 1987 in Deorala, a small village of Rajasthan where Shrimati Roop Kanwar was burnt alive. Having regard to the way the people are agitated over this incident, all hon. Members are of the view that such incidents should be condemned publically. The manner in which the local police and the local administration have shown slackness towards that incident shows that it is the local administration which is to be blamed for it. The hon. Member from Bahraich has said that the people belonging to a particular caste held a rally in Jaipur with naked swords in their hands and delivered some speeches in support of Sati custom. With reference to the political will he has talked about, I would like to ask him as to which leader or person was named in those speeches ? Who is that leader for whom it was said that he was opposed to Sati ? He is Rajiv Gandhi. It was said that he was opposed to *Sati* practice. It is a fact. Therefore, everybody knows that the hon. Member from Bahraich was mistaken when in his speech, he referred to the political will and the leadership and criticised it. I would like to tell him that the first leader who has condemned this incident at political as well as administrative level is Rajiv Gandhi. He has condemned it outrightly. But the hon. Member from that side has delivered this type of speech just to divert the attention from the main issue and his logic is illogical. He has not been able to say in clear terms what he wanted to say in support of his contention. In fact, he has not condemned the custom of *Sati* with the same vehemence with which he has criticized the leadership and the political will. Therefore, those who indulge in double talking are not, in fact, determined to root out this practice. I would like to ask as to which are the political parties and the persons who addressed that rally in Jaipur and who were the Dharamgurus (religious teachers) present in

that rally ? Government must think about taking action against those who issue such statements, whether he is Shankracharya, Janata Party President or leaders of other parties. The Government should try to find out who are these people who want to make political capital out of this incident and what methods they are adopting to serve their political ends. It is not justified for them to say in the House that they have no truck with them. I want to ask whether the President of Rajasthan unit of Janata Party was expelled from the party ? Is he no more in the party ? What action has been taken against him and whether he is bound by the code of conduct or not ? As long as the political parties and the politicians do not set a code of conduct about Sati and accept it, we cannot get rid of this social evil.

At the same time, the press should also adopt a code of conduct in order to root out this evil. No newspaper should glorify the Sati incident in future as some of them have done in this case. What is needed today is that the entire press as well as the political parties should adopt unanimously a code of conduct. If any Member speaks in support of *Sati*, he should not have any right to remain a member or acquire membership of any political party. A provision should be added in the anti-defection law to the effect that a Member who speaks in favour of *Sati* practice shall cease to be a Member of this House. In my view, such an action is needed to be taken.

In addition, I would submit to the hon. Minister that this social evil does not have its origin in the Vedic era or in Pauranik age. Nothing of this kind was heard in Satyug, Treta and Dwapar eras or there is no mention of it in the scriptures or the stories associated with those eras. This evil is the product of modern age. There are other reasons of this social evil too—superstition and conventionalism. Besides, there is an economic reason. We passed the Hindu Marriage Act. You will not be doing full justice to the women unless provision regarding coparcenery in property in the Hindu Succession Act is done away with. Therefore, first of all, you should amend the Hindu Succession Act. This provision of coparcenery in the Hindu Succes-

sion Act does not provide right to property to the women under the old Hindu Law.

15.00 hrs.

The women cannot get the residential and agricultural property divided at her own instance. As long as you do not remove these provisions, the woman will not get her legitimate rights after the death of her husband. She will remain entangled in litigation throughout her life. What I want to say is that you must make an express provision in the Hindu Succession Act, 1955 under which the woman should have the right to remarry in the event of death of her husband and at the same time her right to the property of her late husband should also remain intact. Hindu Succession Act should be so amended so as to bring it at par with the Indian Succession Acts, or similar Acts in christtanity. By doing this, you can assure that woman that she will enjoy the same dignity and respect during widowhood or in the event of remarrying and that she will not face any difficulty in earning her livelihood.

I would also submit that whatever has been said about providing jobs to such women is perfectly right. The hon. Members who spoke before me have also said that such widows should be given preference in the matter of employment. Rules should be framed making it obligatory for the States as well as the Central Government to give preference to those widows who want to join service. Age bar should be removed in their case. The age limit of 18 to 35 years is not justified. This age limit should be relaxed upto 50 or 55 years and the widows desirous of getting jobs should be assured that they will not face any difficulty from the Government as well as the society in earning a livelihood.

Besides, I would like to submit that the religious heads should be governed by a code of conduct. The Shankracharya has no right to say that committing Sati is a matter of pride for the Hindu Society. Nobody has a right to propagate like this. Those who have weak minds and are afraid of religious heads, should try to understand that preachers of reactionary things have no place in our society. We should condemn

such religious heads and tell them point blank that we do not need their services, blessings and discourses anymore.

As you know, there are economic reasons for this evil but illiteracy also plays an important role. What is the level of women's education in Rajasthan where this Sati incident has occured? Only 15 to 16 per cent of women are educated in Rajasthan. Unless the women are educated we cannot wipe out conservatism, superstition and this social evil completely. I think that after Kashmir, the lowest percentage of educated women is in Rajasthan. A categorical statement should be made in the House regarding the proposed steps that are being taken to spread education among the women and girls because unless this is done we cannot wipe out conservatism, superstition and this social evil completely.

15.02 hrs.

[SHRI ZAINUL BASHER *in the Chair*]

I congratulate the hon. Prime Minister for having raised his voice against this social evil and those committing such heinous crimes besides arousing a new consciousness in the country, which has forced all of us to think afresh that it is our prime responsibility to end such an evil practice. I appreciate the steps taken by the Hon. Prime Minister in this direction. Much has been said against the Rajasthan Government. . . (*Interruptions*) Kindly listen to me. You face the truth. It is true that people belonging to only one community were there. But merely blaming one community is not justified. This tradition does not exist in all the Rajput families and all of them are not in favour of the *Sati* practice. If the Rajasthan Government had used force on the rally wherein lakhs of people had gathered, and resorted to firing, it would have resulted in the death of numerous persons. It was essential to save so many people from being shot dead. So, it is not justified to say that the Rajasthan Government did not take such action (*Interruptions*).

Rajasthan Government is not there to kill people. But at the same time it wants to end this evil practice. It also wants to

avoid direct confrontation or clash with such groups of people. I feel that it is for the first time in the country that Sati Practice Abolition Act has been passed by a State Government viz. Rajasthan Government. It itself illustrates that Rajasthan Government and the Centre are determined to wipe out this social evil of Sati. In the end, I would like to submit that ours is a land of great saints and social reformers like Swami Dayanand, Raja Ram Mohan Roy and Ishwarchand Vidya Sagar who spread a new message among the people and the same was carried forward by Mahatma Gandhi, Pandit Jawahar Lal Nehru and Shrimati Indira Gandhi. I hope that our party, under the stewardship of Shri Rajiv Gandhi, will be able to root out this evil in an effective way. The hon. Minister will bring a stringent law in this House to deal with this evil practice.

[Translation]

SHRI RAJKUMAR RAI : Mr. Chairman Sir, I have a point of order. The President of the Indian Olympic Association Shri Vidya Charan Shukla has been arrested at 11 Am today. . .

[English]

MR. CHAIRMAN : Nothing to go on record.

(Interruptions)*

MR. CHAIRMAN : No, it will take its own course. You give a notice. This is not allowed. Please take your seat.

(Interruptions)*

MR. CHAIRMAN : This is not going on record. Mr. Narasimha Rao.

THE MINISTER OF HUMAN RESOURCE DEVELOPMENT AND MINISTER OF HEALTH AND FAMILY WELFARE (SHRI P. V. NARASIMHA RAO) : Mr. Chairman, Sir, I am grateful to the Hon'ble Members who participated in the debate. We also thought it necessary for as many Members to participate as possible because a very clear unanimous

opinion has emerged from this debate. It is so unanimous, so categorical, that it needs hardly any explanation, clarification or any reply whatsoever. So, I shall confine myself to a very few pertinent points and I shall be very brief.

During the debate, we have had speeches characterised by certain emotion which is absolutely justified and also certain introspection, again which is very, very necessary, and lastly, a determination which actually gives us the motive force to go ahead. So, the combination of emotion, introspection and determination is something for which I would like to express my special feeling of gratitude to the Members. Most of them—almost all of them—rose above party lines. They were really speaking for the people of India, on behalf of the people of India. Therefore, I would say that the sentiments, the views, the suggestions given here would be the starting point, would be the basis on which Government action would have to be thought of and as the Home Minister has already stated apart from what has been done by the Rajasthan Government, apart from the law that has been passed by the Rajasthan Assembly, we are going to have Central Legislation here. As has been explained already, there are certain provisions of the IPC, which were being invoked in cases of this nature. There have been several of cases but not very many. I think about 16 or 20 cases were of this nature. In other places also, there have been cases of this nature. Some cases, may be 3 or 4, have been convicted in the Allahabad High Court and some other High Courts. In Rajasthan itself, most of the cases ended in acquittal but we have to really go into the details as to why they ended in acquittal or whether the judgements delivered in those cases revealed any weaknesses of the law or weaknesses in the interpretation of the law. That is one part of it. One or two cases ended in conviction. Some cases are still pending. Some incidents could be averted in time. Some other incidents could not be averted. So, it is the mixed picture that we have. But today what the Central Government has decided, in consonance with the spirit of the House, with the spirit of the time, is to consolidate

all this in such a way that there is no loophole left whatsoever so far as the law goes. The procedure or aspects and all the other necessary and relevant aspects will have to be considered. Just to mention a few aspects which the Government thinks necessary to consider are, deterrent punishment for glorification of sati, confiscation of funds and property collected or acquired for the purpose of glorification of sati, prevention of construction of temples or other structures for glorification of sati, casting obligations on officials of Government to report about the commission of the offences and prescribing minimum punishment for the offences. Some of these aspects are included in the Rajasthan legislation. The legislation also includes the provision to change the burden of proof on to the accused to show that the accused himself or herself, whosoever it is, has not abetted or assisted in the commission of sati. The moment the facts are known, it will be presumed that they brought about the death of the woman with an intention to make her commit sati. That would be the presumption. They have to prove that it was not so and they did not participate.

Therefore, immediately burden shifts to the other side as has been done in the case of bride burning, dowry and so on. So, the principle is well accepted by the House, by the Parliament of India and that is being invoked here.

Now, the question whether suitable provision could be made in the election law also is going to be considered because this has been suggested by several Members here and there is no reason why any person who is so reactionary, whose thinking is so much against the grain of the Constitution that he glorifies or supports sati should be allowed to get a franchise from the people to come and sit in either House of Parliament. So, on the face of it.

I feel that the Government's first reaction is that we will certainly go into these aspects and if there is really no great impediment, we will certainly bring that amendment. It will come before the House and we will have time to debate it. The proposed law would also cover procedural matters including creation of special courts, shifting of the burden, as I submitted earlier,

and special public prosecutors also could be appointed. When we find that there is a case which cannot be really handled by the ordinary machinery of criminal investigation or prosecution, it should be possible for the Government to think of special machinery. It is only an enabling provision that we are thinking of. It may not be necessary in all cases, because the cases will be few and far between. Let us hope that there will be no case hereafter at all, but if there is any unfortunately, it could be properly taken care of by the normal machinery, but in case it cannot be taken care of for any reason, if we do not think that they will do justice to it, special machinery could be thought of.

There are certain horrendous things which have been brought to my notice yesterday after we had prepared for this debate. I would like to mention them for the first time in this House; in the other House we could not mention because they came to my notice only yesterday.

I am told that Sati is interpreted sometimes and practised sometimes as the burning of a woman, not only with the deceased husband, but with the brother also. This is something which I just cannot imagine. It is just beyond my imagination, beyond anybody's imagination. There have been cases of Sati where the woman had to burn along with her step son. So, it is not just a question of a widow, that is what we have been talking about, the law has been talking about; the word widow would have to be now changed to woman. I find that this is such a ghastly aspect that has occurred in this country here and there, may be very few cases fortunately, but even then we will have to very adequately, very fully cover that contingency also.

Then, there is another aspect. Why is Sati committed? In fact, I am really very unhappy about the word Sati, because the meaning of Sati is virtuous wife. When you say Sati Savitri, Sati Ansuya, Sati so and so, it is not because they burnt themselves with their husbands; they did not. How does 'Sati' suddenly become an act of burning the widow, along with the husband? The word Sati itself has been very badly used, very much misused in a different context. In fact, in South Indian languages,

as far as I know, Sati is just understood as a virtuous married woman. It is so understood in Telugu for instance. This practice of what is called Sati in Rajasthan and perhaps in the North and in English is because of the English language having used it in that context that it is being used like that today. We actually call it *sahgaman* that is, going along with the husband, going means, burning along with the husband, ending her life with the husband. I do not think, in any other language in the South, it is called like that, because it has been accepted according to the etymological meaning of it.

Whatever it is, the point is that if Sati is committed or caused to be committed, in order to get the property of the woman, in order to get whatever she would have got from her husband, if she had been alive, then that is where the real question, the crucial point lies. That is where you have to apply the corrective. And how do we apply the corrective? We disinherit those persons who would have profitted from the Sati. There is a parallel also from Hindu law namely patricide. According to the Hindu law, it is well known that if the son murders his father, he cannot inherit his father's property whether it is self acquired or coparcenary or whatever it is; it is absolutely banned. Hindu law is very clear on that. So, some such provision would have to be made in the new law so that the incentive of making a woman commit sati with the ultimate objective of getting her property, either through the co-parceners or reversioners, as they are called, that incentive is lost, that incentive is scotched in the beginning. Of course, the economic incentive and motivations have been brought out very clearly in the debate. When there is a sati there is a temple; there are people with offerings and lakhs and lakhs are collected and there are people who become millionaires on the death of an innocent woman. Now, this has to be very effectively stopped. That aspect would have to be gone into. It has been gone into by the Rajasthan law but whether that is adequate or not we will have to look into. So, these are the aspects which have come to my notice only yesterday and I would like to share them with the House so that

when the law is made, we can keep track of what has happened.

I would also like to say that this has not been sanctified by any ancient text as many hon. members have said. Now, it is quite possible that we would be really getting into an unnecessary controversy by going into the old texts. I would not do that. I would say that I entirely agree with Prof. Ranga when he said, "Who is Manu? We are Manu here." Dr. Ambedkar has been referred to as the Modern Manu. Now, Manu is a generic name for a law giver. It so happened that the person called Manu was the first law giver. But after Manu came Yagnavalkya, then came Narada and then Jimuthvanna who started the Dayabhaga school in Bengal and what we have been following is the Mitakshara school, not the Manusmariti in its original text. There has been a law in some country which says, 'Eye for Eye and Tooth for tooth.' If we are not following that law, there is no need for us to refer to the Manusmariti, and say there is something wrong in the Manusmariti while even about the Manusmariti there is some controversy. There is a clear opinion that nothing in favour of Sati is said in Manusmariti.

SHRI E. AYYAPU REDDY (Kurnool) :
One clarification, Sir. Manu himself has said :

"Patni Pitaraschaiva Pitarau
Esham Abhave. . ."

that is, in succession, the widow will be the first heir. He himself has said. So, where is the question of widow dying with her husband? Perhaps, it is not correct to say that Manu misinterpreted or said that women must die with the husband.

SHRI P. V. NARASIMHA RAO : I am on a different point. I do not want to know what Manu said. This is the point. When you talk of Shankracharya saying this, would you talk of some other Acharya saying this? I do not want to become a judge between some Shankracharya and Mr. Ayyapu Reddy. I would say, this is what we want today. We are the Manus of today. This House wants to take that portion

or that version of Manusmariti which is progressive. We do not want to take that interpretation of Manusmariti which is regressive, reactionary. It is as simple as that. This is what the nation wills. This is what the nation's representative body wills today and that is what will be done in the legislation. It is going to come before the House and then naturally we will have a fuller discussion and a more detailed scrutiny of all these matters. I do not think I need add any more. Much has been said about what happened and what did not happen and what were the motives. All those things, and those motives would have to be gone into. For the first time in this country probably in the Central Government, matters connected with women have been receiving greater attention than ever before. That is why most of these things are coming here for discussion. They are coming here for dissent and for debate because there is a separate machinery now. I admit that it is not adequate. In fact, we have been struggling for more facilities, more staff, more availability of persons to take care of such cases whenever they come up, with more legal assistance, etc. All these things are being done only during the last two or three years. Earlier it was a part of 'Social Welfare'. Now, it is being focussed separately and I am not at all surprised that more and more and more cases of this nature are being brought to the notice of this House. In a way, we feel that as a result of there being a special machinery, all these things are coming up. We welcome this. We would like to tackle all these matters at source, wherever they are occurring. The Government would like to be as effective as possible under the circumstances. As has been pointed out again and again by many hon. members, legislation alone is not enough. Government's action alone is not enough. Legislation has its importance, but it could only adorn the Statute Book for all the time without anything happening outside. So, it has to be a combination of certain action on the part of the society as such and on the part of the social reformers. We will have to have a new crop of social reformers today, which perhaps become more or less extinct after those very great reformers. So, it will have to be a

multi-faceted multi-front action along with legislation. And whenever, there is any inadequacy in legislation, we should always be ready to amend it and make it as effective as necessary.

This is all that I would like to submit to this House. I am again thankful to the members for having given very good suggestions and as I said, the combination of emotion, determination and introspection—this is what I feel very grateful for.

RE : DETENTION OF MEMBER

[English]

MR. CHAIRMAN : Now we will take up the next item . . .

SHRI S. JAIPAL REDDY (Mahbudnagar) : Sir, we have learnt that an hon. member of this House. . . (Interruptions)*

MR. CHAIRMAN : No please. You have to give a proper notice. It is not allowed.

(Interruptions)*

MR. CHAIRMAN : Nothing will go on record.

SHRI INDRAJIT GUPTA (Basirhat) : The Minister should make a statement.

MR. CHAIRMAN : Let the intimation come from the hon. Minister. Then it will be announced. I cannot allow it.

(Interruptions)*

SHRI S. JAIPAL REDDY : The House has the information that a member has been physically prevented from entering the House and participating in its proceedings.

MR. CHAIRMAN : Let the information come. Then, we will announce. Mr. Poojary, you may please move your Bill.

SHRI S. JAIPAL REDDY : This is a wrong precedent Sir.

SHRI ARIF MOHAMMAD KHAN

* Not recorded.